

REMARKS/ARGUMENTS

The Office Action mailed July 14, 2005 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested. It is respectfully asserted that the Office Action Summary contains an error. The Office Action Summary states that claims 6-12 are withdrawn from consideration and Claims 1-5 and 15-27 are rejected. Rather, Claims 6-13 are withdrawn from consideration and Claims 1-5, and 14-27 are currently pending and rejected.

Claims 1, 14, 19, and 24 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the specification and figures. No new matter has been added.

The 35 U.S.C. § 102 Rejection

Claims 1-5, 14-24, 26 and 27 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Jones et al. (US 5,341,928). Claims 1, 14, 19, and 24 are independent claims. This rejection is respectfully traversed.

According to the M.P.E.P., a claim is anticipated under 35 U.S.C. § 102(a), (b) and (e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.¹

In response to Applicant's previous Amendment, the Examiner states "that the features upon which Applicant relies (i.e., the pleats are formed by just the back panel) are not recited in the rejection claims." Thus, Claims 1, 14, 19, and 24 have been amended to recite that the pleats

¹ Manual of Patent Examining Procedure (MPEP) § 2131. See also *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

are formed by just the back panel. Namely, Claim 1 has been amended to state: “wherein said at least one pleat is formed by said back panel.” Claims 14, 19, and 24 have been similarly amended.

Since the pleats of Jones are formed by both the front panel and back panel (Col. 2, lines 30-44), Jones does not teach each and every element as set forth in Claims 1, 14, 19, and 24. Thus, it can not be said to anticipate the claimed invention. Accordingly, it is respectfully requested that this rejection be withdrawn.

Remaining Dependent Claims

As to dependent claims 2-5, 15-18, 20-23, and 25-27, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable.

The 35 U.S.C. § 103 Rejection

Claim 25 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Jones. This rejection is respectfully traversed. Claim 25 depends from independent Claim 24 and thus, the argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable. It is respectfully requested that this rejection be withdrawn.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

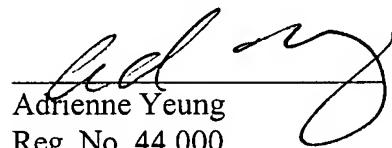
Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account 50-1698.

Respectfully submitted,

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Dated:

9/13/05


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